ESTTA Tracking number:

ESTTA280495 04/27/2009

Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91182171
Party	Plaintiff SUN-MAID GROWERS OF CALIFORNIA
Correspondence Address	Marc M. Gorelnik TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834 UNITED STATES mmg@townsend.com
Submission	Withdrawal of Opposition
Filer's Name	Marc M. Gorelnik
Filer's e-mail	mmgorelnik@townsend.com
Signature	/marc m. gorelnik/
Date	04/27/2009
Attachments	Notice of Withdrawal of Oppositions.pdf (3 pages)(90506 bytes)

Electronically filed with the Board on April 27, 2009.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Opposition No. 91180558

In Re: Application Ser. No. 77/005,925

Published: May 8, 2007

Applicant: Etchegaray Farms, LLC

Mark: SUNMET

Opposition No. 91180559

In Re: Application Ser. No. 77/005,926

Published: May 8, 2007

Applicant: Etchegaray Farms, LLC

Mark: SUNMET & Design

Opposition No. 91180638

In Re: Application Ser. No. 77/005,927

Published: May 15, 2007

Applicant: Etchegaray Farms, LLC

Mark: SUNMET & Design

Opposition No. 91182171

In Re: Applications Ser. Nos. 77/005,920; 77/005,921; and 77/005,923

Published: October 2, 2007; September 25, 2007; and September 25, 2007, respectively

Applicant: Etchegaray Farms, LLC

Mark: SUNMET

SUN-MAID GROWERS OF CALIFORNIA,

Opposer,

VS.

ETCHEGARAY FARMS, LLC,

Applicant.

Opposition Nos.:

91180558; 91180559; 91180638; and 91182171

NOTICE OF WITHDRAWAL OF OPPOSITIONS

Pursuant to the Notice of Settlement filed April 10, 2009, and with the consent of applicant, opposer Sun-Maid Growers of California, by and through its attorneys, hereby withdraws Opposition Nos. 91180558, 91180559, 91180638 and 91182171, against Application Serial Nos. 77/005,925, 77/005,926, 77/005,927, 77/005,920; 77/005,921; and 77/005,923,

respectively, pursuant to 37 C.F.R. § 2.106(c).

Date: April <u>37</u>, 2009

Respectfully submitted,

TOWNSEND and TOWNSEND and CREW LLP

Marc M. Gorelnik

Attorneys for Opposer SUN-MAID GROWERS OF CALIFORNIA

Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834

Tel: (415) 576-0200 Fax: (415) 576-0300

Email: mmgorelnik@townsend.com

PROOF OF SERVICE

I hereby certify that on April 27, 2009, I served a copy of the following document(s) entitled **NOTICE OF WITHDRAWAL OF OPPOSITIONS** on counsel for Applicant by depositing a true and correct copy of the same with the United States Postal Service, first class mail, postage prepaid, in an envelope addressed to:

D. Greg Durbin, Esq.
Daniel S. Cho, Esq.
McCormick, Barstow, Sheppard, Wayte & Carruth LLP
5 River Park Place East
Fresno, CA 93720
Attorneys for Applicant

Dated: April 27, 2009

61919883 v1